

## REMARKS

Claims 1-21 are pending. Claims 1-8, 11-19 and 21 are amended herein. No new matter is added as a result of the claim amendments.

Applicants respectfully note that a basis for rejecting Claims 20-21 is not provided in the instant Office Action.

### Specification

The specification is objected to because of informalities cited in the instant Office Action. The specification is amended herein to correct the cited informalities.

### 112 Rejections

Claims 1-2, 5, 8, 11-17 and 19 are rejected under 35 U.S.C. § 112, second paragraph, for reasons cited in the instant Office Action. These claims are amended herein to address the issues raised, and Applicants respectfully submit that the requirements of 35 U.S.C. § 112, second paragraph, are satisfied by the amended claims.

### 101 Rejections

Claims 1-15 are rejected under 35 U.S.C. § 101 as being non-statutory. These claims are amended herein to address this rejection, and Applicants respectfully submit that the requirements of 35 U.S.C. § 101 are satisfied by the amended claims.

### 103(a) Rejections

#### Claims 1-3, 5-6, 8, 11-14 and 16-19

Claims 1-3, 5-6, 8, 11-14 and 16-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bansal et al. ("Bansal," US Patent

Application Publication 2003/0009421) in view of Hogg et al. ("Hogg;" US Patent Application Publication 2002/0073009). The Applicants have reviewed the cited references and respectfully submit that the present invention as recited in Claims 1-3, 5-6, 8, 11-14 and 16-19 is not anticipated nor rendered obvious by Bansal and Hogg, alone or in combination.

Specifically, the Applicants respectfully submit that neither Bansal nor Hogg, nor the combination of Bansal and Hogg, show or suggest a method that includes "performing an analysis of ... auction data, said analysis comprising accumulating said auction data into sets as a function of auction type, a first auction type comprising a utility-dependent auction in which highest bidder wins and pays the highest bid and a second auction type comprising a utility-independent auction in which highest bidder wins and pays the second highest bid" as recited in independent Claim 1. Claims 2-3, 5-6 and 8 are dependent on Claim 1 and recite additional limitations.

Also, the Applicants respectfully submit that neither Bansal nor Hogg, nor the combination of Bansal and Hogg, show or suggest a computer system that performs a method that includes "performing an analysis of said auction data, said analysis comprising accumulating said auction data into sets as a function of auction type, a first auction type comprising a utility-dependent auction characterized as an English auction and a second auction type comprising a utility-independent auction characterized as a Dutch auction" as recited in independent Claim 11. Claims 12-14 are dependent on Claim 11 and recite additional limitations.

Furthermore, the Applicants respectfully submit that neither Bansal nor Hogg, nor the combination of Bansal and Hogg, show or suggest a computer-readable storage medium that causes a computer to perform a method that includes "performing an analysis of said auction data, said analysis comprising accumulating said auction data into sets as a function of auction type, a first auction type comprising a utility-dependent auction characterized as a sealed bid first price auction and a second auction type comprising a utility-independent auction characterized as a sealed bid second price auction" as recited in independent Claim 16. Claims 17-19 are dependent on Claim 16 and recite additional limitations.

Therefore, Applicants respectfully submit that the basis for rejecting Claims 1, 11 and 16 under 35 U.S.C. § 103(a) is traversed, and that these claims are in condition for allowance. As such, Applicants respectfully submit that the basis for rejecting Claims 2-3, 5-6, 8, 12-14 and 17-19 under 35 U.S.C. § 103(a) is also traversed, as these claims are dependent on allowable base claims and contain additional limitations.

Claims 4, 7, 9-10 and 15

Claim 4, 7, 9-10 and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bansal in view of Hogg and further in view of Kinney, Jr. et al. ("Kinney;" US Patent 6,564,192). The Applicants have reviewed the cited references and respectfully submit that the present invention as recited in Claims 4, 7, 9-10 and 15 is not anticipated nor rendered obvious by Bansal, Hogg and Kinney, alone or in combination.

Claims 4, 7 and 9-10 are dependent on independent Claim 1, and Claim 15 is dependent on independent Claim 11. As presented above,

Applicants respectfully submit that Bansal and Hogg, alone or in combination, do not show or suggest the present invention as recited in Claims 1 and 11.

Applicants respectfully submit that Kinney does not overcome the shortcomings of Bansal and Hogg. Applicants respectfully assert that Kinney, alone or in combination with Bansal and Hogg, does not show or suggest a method that includes "performing an analysis of ... auction data, said analysis comprising accumulating said auction data into sets as a function of auction type, a first auction type comprising a utility-dependent auction in which highest bidder wins and pays the highest bid and a second auction type comprising a utility-independent auction in which highest bidder wins and pays the second highest bid" as recited in independent Claim 1, nor does Kinney, alone or in combination with Bansal and Hogg, show or suggest a computer system that performs a method that includes "performing an analysis of said auction data, said analysis comprising accumulating said auction data into sets as a function of auction type, a first auction type comprising a utility-dependent auction characterized as an English auction and a second auction type comprising a utility-independent auction characterized as a Dutch auction" as recited in independent Claim 11.

To summarize, Applicants respectfully assert that the features of the present invention recited in independent Claims 1 and 11 are not shown or rendered obvious by Bansal, Hogg and Kinney (alone or in combination). Therefore, Applicants respectfully submit that the basis for rejecting Claims 4, 7, 9-10 and 15 under 35 U.S.C. § 103(a) is traversed, as these claims are dependent on allowable base claims and contain additional limitations.

Claims 9-10

Claim 9-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bansal in view of Hogg and further in view of Takriti et al. ("Takriti;" US Patent 5,974,403). The Applicants have reviewed the cited references and respectfully submit that the present invention as recited in Claims 9-10 is not anticipated nor rendered obvious by Bansal, Hogg and Takriti, alone or in combination.

Claims 9-10 are dependent on independent Claim 1. As presented above, Applicants respectfully submit that Bansal and Hogg, alone or in combination, do not show or suggest the present invention as recited in Claim 1.

Applicants respectfully submit that Takriti does not overcome the shortcomings of Bansal and Hogg. Applicants respectfully assert that Takriti, alone or in combination with Bansal and Hogg, does not show or suggest a method that includes "performing an analysis of ... auction data, said analysis comprising accumulating said auction data into sets as a function of auction type, a first auction type comprising a utility-dependent auction in which highest bidder wins and pays the highest bid and a second auction type comprising a utility-independent auction in which highest bidder wins and pays the second highest bid" as recited in independent Claim 1.

To summarize, Applicants respectfully assert that the features of the present invention recited in independent Claim 1 are not shown or rendered obvious by Bansal, Hogg and Takriti (alone or in combination). Therefore, Applicants respectfully submit that the basis for rejecting

Claims 9-10 under 35 U.S.C. § 103(a) is traversed, as these claims are dependent on an allowable base claim and contain additional limitations.

Conclusions

In light of the above remarks, Applicants respectfully request reconsideration of the rejected Claims.

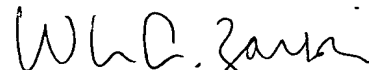
Based on the arguments presented above, Applicants respectfully assert that Claims 1-21 overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these Claims.

Applicants have reviewed the references cited but not relied upon. Applicants did not find these references to show or suggest the present claimed invention: US Patents 5,905,975 and 6,647,373; and US Patent Application Publications 2003/0018560, 2002/0188545, 2002/0111889, 2002/0046148, 2003/0004850, 2002/0116315, and 2002/0116315.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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